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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,092	11/13/2001	Takafumi Fukushima	01734/LH	2670

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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/01/09

Applicant(s)

Fukushima

Examiner

Hay, G

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/13/01
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election require

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1-17 are rejected under 35 USC 103(a) as unpatentable over Henson(US Pat. No: 6,167,383) in view of Yamada(US Pat No: 6,336,100) and further in view of Hintermeier(US Pat. No:5,546,758).

2. As per claims 1,12,17 Henson teaches an electronic shop sales system(Abstract) comprising an electronic shop(Fig 2/10) connected to a network communication line(Fig 2/38) and a user terminal connected to the network communication line(Fig 2/44)(col 4 lines 59-64) and an article storage device connected to said network communication line wherein said electronic shop comprises an article database(Fig 1/24)(col 4 lines 64-66)configured to manage article information(Fig 6).Henson further teaches customer information(Fig 10) and billing information(Fig 10/122) as well as designating an agent in charge of delivery(Fig 9/120). Henson also teaches a sales system configured to present articles managed by said article database as applied to article names and prices(Fig 6)to said user terminal through said network communication line for accepting an order of an article sold by said electronic shop from a user(col 4 lines 58-63) and a distribution system configured to perform a transaction required to deliver an article accepted through said sales system based on destination information(Fig 9/118/120). Henson teaches delivery storage condition for the article(Fig 9/120). Henson does not specifically teach a delivered article container having a door which is locked and unlocked and environment control section configured to control a storage environment

in said article container. Yamada teaches delivery of the ordered articles(col 3 lines 27-54) as well as printing delivery information(col 3 lines 36-39) including a delivery statement(col 3 line 66-col 4 line 3) and wherein said electronic shop sales system is configured to respond to an order received from said user terminal for reading a storage condition for such article(col 3 lines 55-60) from said article database of said article storage service(col 4 lines 4-14)(Fig 4)(col 4 lines 27-31) based on the storage condition to adjust the storage environment in said article container and storing the article in a location from the database(col 4 lines 32-41) and subsequently delivering the article to the user(col 3 lines 60-65)(col 5 lines 5-29).Yamada further teaches storing an article in a convenience store as selected from a list of such delivery stations(col 4 lines 37-41)(Fig 6). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to teach delivery and storage of the goods as purchased on the online shopping system and to utilize a scanner to read the delivery statement of Yamada. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored as enunciated by Yamada(col 1 lines 18-21). Henson does not specifically teach climatically controlled storage. Hintermeier teaches a climatic storage environment for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29). It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier to teach the claim. The motivation to

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combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored and which may provide a climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

3. As per claim 2 Henson teaches the electronic shop sales system according to claim 1. Henson does not specifically teach wherein said distribution system is configured to attach a label on the ordered article where said label having at least the storage condition read from said article database printed thereon. Yamada teaches a delivery statement(col 3 line 66-col 4 line 3)(Fig 10) and said article storage device further comprises an input unit configured to input the label data(Fig 5)(Fig 6). Yamada also teaches delivery location stations(Fig 9)(col 2 lines 50-53) as well as means for reading the storage condition from the label data input(Fig 9). Yamada further teaches storing an article in a convenience store selected from a list of such stations(col 4 lines 37-41)(Fig 6). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods stored and delivered as enunciated by Yamada(col 1 lines 18-21). Henson does not specifically teach a climatic storage environment. Hintermeier teaches a climatic storage environment for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29). It also would have been obvious to one skilled in the art at the time of the invention to

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combine Henson in view of Yamada and further in view of Hintermeier to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

4. As per claim 3 Henson teaches the electronic shop sales system according to claim 1. Henson teaches reading from a database(Fig 1/24). Henson teaches shipping orders(Fig 9/118/120) by carriers. Henson teaches an article storage device connected to said network communication line wherein said electronic shop comprises an article database(Fig 1/24)(col 4 lines 64-66)configured to manage article information. Henson also teaches a sales system configured to present articles managed by said article database to said user terminal through said network communication line for accepting an order of an article sold by said electronic shop from a user(col 4 lines 58-63).

Henson does not specifically teach transmitting an environment control section based on the received storage condition for the article to adjust the storage environment for said article container. Hintermeier teaches a climatic storage environment for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada to teach part of the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods stored and delivered as enunciated by

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Yamada(col 1 lines 18-21). It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier and to apply controlling the environmental conditions in a climatic container to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

5. As per claim 4 Henson teaches the electronic shop sales system according to claim 1 wherein at least one of said electronic shop and said article storage device is configured to for the user to enter delivery instructions at the terminal through said network communication line(Fig 9/118/120)(col 11 lines 10-30).Henson does not specifically teach notification. Yamada teaches notifying the customer of delivery(col 4 line 50-col 5 line 29). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to teach delivery and storage of the goods as purchased on the online shopping system. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored as enunciated by Yamada(col 1 lines 18-21). It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

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6. As per claim 5 Henson teaches the electronic shop sales system according to claim 1 wherein at least one of said electronic shop and said article storage device is configured to for the user to enter delivery instructions at the terminal through said network communication line(Fig 9/118/120)(col 11 lines 10-30).Henson does not specifically teach notification of delivery. Yamada teaches notifying the customer of delivery(col 4 line 50-col 5 line 29). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to teach delivery and storage of the goods as purchased on the online shopping system. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored as enunciated by Yamada(col 1 lines 18-21).Henson does not specifically teach specifying a storage condition for an article before the article is stored in said article container of said article storage device and said article storage device is configured to previously operate said environment control section based on the received delivery information and storage condition for the article to properly adjust the storage environment in said article container upon storing the article. Hintermeier teaches a climatic storage environment as specified for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29). It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide

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climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

7. As per claim 6 Henson teaches the electronic shop sales system according to claim 1, wherein said distribution system is configured to be responsive to an order for an article from said user terminal for reading article information(col 4 lines 58-63). Henson does not specifically teach a storage condition for the article from said article database converting the read article information and storage condition for the article into a machine code, printing the machine code on a label and attaching the label on the article. Yamada teaches printing a label and delivery statement(Fig 10) and the article storage device further comprises a reader configured to read the machine code from said label a receiver configured to receive the article information and storage condition from said sales system through said network communication line(col 3 line 66-col 4 line 3). Yamada also teaches reading article information and storage conditions(col 4 lines 4-41). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to teach delivery and storage of the goods as purchased on the online shopping system. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored as enunciated by Yamada(col 1 lines 18-21). Henson does not specifically teach unlocking a door of a storage container and means for operating said environment control section of said article storage device based on the storage condition printed on said label read by said reader to adjust the storage environment in the article container. Hintermeier teaches a climatic storage environment as specified

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for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) that can be locked(col 2 lines 46-51)and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29). It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

8. As per claim 7 Henson teaches the electronic shop sales system according to claim 6.Henson does not specifically teach wherein the article storage device further comprises means for automatically locking said door upon confirmation of storage of the article in the article container after the door of the article container was unlocked.

Hintermeier teaches a climatic storage environment as specified for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) that can be locked(col 2 lines 46-51)(Fig 1/13/9). It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

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9. As per claims 8 and 9 Henson teaches the electronic shop sales system according to claim 1. Henson teaches storing information on articles delivered(Fig 9). Henson does not specifically teach an article storage unit configured to create and store information on articles stored in the article container. Yamada teaches delivery of the ordered articles(col 3 lines 27-54) as well as printing delivery information(col 3 lines 36-39) including a delivery statement(col 3 line 66-col 4 line 3) and wherein said electronic shop sales system is configured to respond to an order received from said user terminal for reading a storage condition for such article(col 3 lines 55-60) from said article database of said article storage service(col 4 lines 4-14)(Fig 4)(col 4 lines 27-31) based on the storage condition to adjust the storage environment in said article container and storing the article in a location from the database(col 4 lines 32-41) and subsequently delivering the article to the user(col 3 lines 60-65)(col 5 lines 5-29).Yamada further teaches storing an article in a convenience store as selected from a list of such delivery stations(col 4 lines 37-41)(Fig 6) which defines a storage schedule. Yamada also teaches defining the article(col 3 lines 1-5).Yamada further teaches means for notifying the operations records stored in said storage unit to a terminal(col 4 lines 60-65) specified by the user. It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to teach delivery and storage of the goods as purchased on the online shopping system. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored as enunciated by Yamada(col 1 lines 18-21). Henson does not specifically teach a climatic storage container. Hintermeier teaches a climatic

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storage environment as specified for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) that can be locked(col 2 lines 46-51)and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29) indefinitely. It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier and to apply the controlled climatic conditions for a preset time to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

10. As per claims 10, 15 Henson teaches the electronic shop sales system according to claim 1. Henson teaches storing information on articles delivered(Fig 9). Henson does not specifically teach an article storage unit configured to create and store information on articles stored in the article container. Yamada teaches delivery of the ordered articles(col 3 lines 27-54) as well as printing delivery information(col 3 lines 36-39) including a delivery statement(col 3 line 66-col 4 line 3) and wherein said electronic shop sales system is configured to respond to an order received from said user terminal for reading a storage condition for such article(col 3 lines 55-60) from said article database of said article storage service(col 4 lines 4-14)(Fig 4)(col 4 lines 27-31) based on the storage condition to adjust the storage environment in said article container and Yamada also teaches defining the article(col 3 lines 1-5).Yamada further teaches means for notifying the operations records stored in said storage unit to a terminal(col 4

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lines 60-65) specified by the user. Yamada teaches e-mail(Fig 3). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to apply this to scanning the printed delivery statement attached to the commodity and to teach delivery and storage of the goods as purchased on the online shopping system. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored as enunciated by Yamada(col 1 lines 18-21). Henson does not specifically teach a climatic storage container. Hintermeier teaches a climatic storage environment as specified for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) that can be locked(col 2 lines 46-51)and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29) indefinitely. It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier and to apply the controlled climatic conditions for a preset time and to be imaged to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

11. As per claim 11 Henson teaches the electronic shop sales system according to claim 1. Henson does not specifically teach wherein said article storage device further comprises a storage unit configured to store IDs and passwords. Yamada teaches entering passwords to order(Fig 2/9) products previously assigned to users and

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issuance of online ID cards(col 2 lines 57-65). Yamada also teaches that a user can change profile(col 4 lines 25-26) and means for generating unique code information to a user(col 2 lines 61-65). Yamada further teaches the e-mail address in a user profile(Fig 3). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to teach delivery and storage of the goods as purchased on the online shopping system. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored as enunciated by Yamada(col 1 lines 18-21). Henson does not specifically teach an article is stored in an article container and the door is locked and means for unlocking said door of said article container by reading the ID, password. Hintermeier teaches a climatic storage environment as specified for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) that can be locked(col 2 lines 46-51) and unlocked by an authorized user and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29) indefinitely. It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

12. As per claims 13,14,16 Henson teaches the electronic shop sales system according to claim 1.Henson does not specifically teach an image sensor reading the delivery

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statement and wherein said article container of said article storage device includes a plurality of article containers having different storage volumes. Yamada teaches reading the delivery statement(col 3 line 66-col 4 line 3).). It would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and to teach delivery and storage and scanning of the delivery statement of the goods as purchased on the online shopping system. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and stored as enunciated by Yamada(col 1 lines 18-21). Henson does not specifically teach a plurality of storage containers of different storage volumes.

Hintermeier teaches a climatic storage environment as specified for articles in a container(col 1 lines 5-19)(col 2 lines 18-22) with a swinging door(col 1 line 12) that can be locked(col 2 lines 46-51) and unlocked by an authorized user and a cooling or heating unit included which is designed to maintain a preset temperature and humidity(col 1 lines 23-29) indefinitely. Hintermeier further teaches climate control features(col 1 line 25). It also would have been obvious to one skilled in the art at the time of the invention to combine Henson in view of Yamada and further in view of Hintermeier to various sized containers having capacity for different weight contents as addressed to teach the claim. The motivation to combine is to teach an online shopping system where the customer can designate where he wants goods delivered and which may provide climatically controlled environment for shipped goods as enunciated by Hintermeier(col 1 lines 20-23).

Conclusion

13. THIS ACTION IS MADE NON-FINAL.

14. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

May 3,2004



**DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER**